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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Geun Sig Cha et al. Docket No.: 01-219

Serial No. : 09/818,750 Examiner : T. Tung

Filed : March 27, 2001 Art Unit : 1743

For : PLANAR REFERENCE ELECTRODE

900 Chapel Street  
Suite 1201  
New Haven, CT 06510-2802

REQUEST FOR RECONSIDERATION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

Dear Sir:

In response to U.S. Patent and Trademark Office Action dated February 26, 2003, having a shortened statutory period for response set to expire May 26, 2003, having been extended for one month so as to expire on June 26, 2003, Applicants hereby request the Examiner to reconsider his rejection in light of the following comments.

Initially the undersigned would like to thank Examiner Tung for the courtesies extended during a personal hearing held with the undersigned on June 4, 2003. During the above noted personal hearing, the outstanding official action was discussed in detail and agreement was reached particularly with regard to

the Examiner's rejection of the pending claims under 35 U.S.C. 112, both first and second paragraphs.

At the above noted oral hearing, Applicants attorney directed the Examiner's attention to Pages 16 and 17 of the instant specification as well as Example 4. These portions of the specification, as well as elsewhere, clearly disclose the claimed line of micro capillary. See also particularly Page 13, line 11 and line 22 of the instant disclosure. The Examiner agreed that these portions of the specification resolve the 112, both first and second paragraph issues.

With regard to the rejection of the claims under 35 U.S.C. 103, Applicants respectfully request the Examiner to reconsider this rejection. As is clear from the disclosure of the instant application, the present invention relates to a junction which comprises either a porous polymer membrane or a film with a line of micro capillary. The claims as presently pending are drawn specifically to the embodiment of the invention drawn to a film with a line of micro capillary. The prior art references cited by the Examiner fail to teach, disclosure, suggest or render obvious the subject matter claimed in independent claim 16. The Suzuki patent is drawn to a junction which employs a porous material and not a line of micro capillaries claimed. As noted on Page 13, lines 22-25 of the instant specification, by employing a line of micro capillary formed on the thin film, the

reference electrode is not dependent on the type of junction forming material employed. The Suzuki patent fails to teach, disclose, suggest or render obvious the claimed subject matter.

The secondary references applied by the Examiner, that is U.S. Patent 2,846,386 and U.S. Patent 3,264,205 failed to cure the deficiencies noted above with regard to the Suzuki reference. Neither of these references teach a line of micro capillary as claimed in the claims as currently pending. Accordingly, it is submitted that all of the claims as pending patentably define over the art of record and an early indication of same is respectfully requested.

An earnest and thorough attempt has been made by the undersigned to resolve the outstanding issues in this case and place same in condition for allowance. If the Examiner has any questions or feels that a telephone or personal interview would be helpful in resolving any outstanding issues which remain in this application after consideration of this amendment, the Examiner is courteously invited to telephone the undersigned and the same would be gratefully appreciated.

It is submitted that the claims as amended herein patentably define over the art relied on by the Examiner and early allowance of same is courteously solicited.

If any fees are required in connection with this case,  
is respectfully requested that they be charged to Deposit  
Account No. 02-0184.

Respectfully submitted,

Geun Sig Cha et al.

By

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Date: June 6, 2003

I hereby certify that this correspondence is being faxed this 6<sup>th</sup> day of June, 2003 to Examiner Tung, Art Unit 1743, at the United States Patent and Trademark Office (Fax No. 1-703-872-9311).

  
Rachel Piscitelli

**BACHMAN & LaPOINTE, P.C.**

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**FAX COVER LETTER**TO: Examiner TungFROM: Gregory P. LaPointeFAX NO.: 1-703-872-9311DATE: June 6, 2003YOUR REF.: 09/818,750OUR REF.: 01-219PAGES: 7 including this sheet       Urgent    XXX    For Review           Please CommentConfirmation Copy to Follow:        Yes    XXX No

\* Comments:

**CERTIFICATE OF FACSIMILE TRANSMITTAL**

I hereby certify that the following documents were faxed this 6<sup>th</sup> day of June, 2003 to Examiner Tung, Art Unit 1743, at the United States Patent and Trademark Office (Fax No. 1-703-872-9311).

Please acknowledge receipt of this letter by telephone or telefax and advise us if any pages are not readily legible or have not been received.